

# South Manchester Law Centre

7-012 2002 - Naser Idriz  
Human Rights

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Drop in service (no appointment needed) Monday, Wednesday and Friday 10 - 12.30 only  
Telephone Monday to Friday 10 - 1 & 2 - 4.30 except Thursday mornings when we are closed  
please quote our reference in all correspondence. If telephoning please ask for

Our ref:

Your ref:

Date:

SPM/Idris

13 February 2002

Mr G Puxon  
1 John Harper St  
Colchester  
Essex  
CO1 1RP

Dear Mr Puxon,

Re N Idriz

Our conversation of today refers. As agreed I enclose the bundle of papers in this case. These have only just come through from the Home Office. The court has set an initial procedural hearing for 5.3.02. In theory I should submit your report by then. In practice I would need a report by the end of March given my anticipation as to the actual substantive hearing date. The Law Centre can meet your reasonable fee. I enclose a report commissioned for another client from an entirely different country. The preamble may assist you and the report focused on the 'reasons for refusal letter' which was very helpful.

The facts are a little strange and the case has so far lasted 4 years. The family arrived together and it was the wife who claimed asylum when her false document was detected. She returned to Macedonia with the UK born child. The other children followed shortly afterwards. Mr Idriz then became the asylum claimant in his own right. The second interview in the bundle was with him.

The Home Office have been selective with the bundle. At a fairly early stage I made representations on the case and sent in a report (dated 4.6.98) from the European Roma Rights Center based in Budapest. That should have been in the bundle but as asylum law looks forward to what might happen upon return I am not sure whether or not to send it in now as it might be too dated.

I also made comments immediately following the interview. That letter dated 21.3.00 certainly ought to have been included.

My own knowledge of Macedonia is woefully inadequate. I will have to deal with some of the alleged discrepancies (eg owning a tailor's shop and at the same time working abroad) although if you are able to comment that this is a not infrequent

occurrence that might be helpful. In my view the 2 can be concurrent. Your role would be more to provide an objective background analysis. Essentially the Home Office is stating (para 5 of refusal letter) that everything in Macedonia is fine. The key question is are they correct in this analysis.

Please do not hesitate to call me if further information is required from my file or from my client. My direct number is 0161 248 1875.

Yours sincerely



S-P Morris

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Our ref:

SPM/Idriz

Your ref:

MAN 98 569

Date:

21.3.2000

Att Mr Rowland  
HM Immigration -enforcement  
Commonwealth House  
Chicago ave  
Manchester m90 3EE

Dear Mr Rowland,

Re N Idriz

As you are aware I was present at the interview you conducted with Mr Idriz last Friday. I did not make any comments immediately following the interview but do so by means of this letter.

As you know from the interview Mr Idriz had been intending to show you some documents but these were stolen from his car over the previous night. We all know that documentary evidence is not crucial in an asylum claim but as I had seen the documents the day before and encouraged him to bring them it is sensible for me to confirm this in writing. They were as set out on page 10 of the interview notes a large phone bill (over £1,000), a money transfer receipt from an agency in Manchester for c£800, a receipt from a hospital in Skopje and a medical report in either Macedonian or Serbo Croat. I had hoped that your interpreter would assist by translating the report for our mutual benefit.

I had thought that it was more profitable for Mr Idriz to bring you up to date with what had happened following his wife's return to Macedonia. She had already outlined in her interview of June 98 the events which caused the family to flee. Her account is entirely credible when looked at in the context of the report from the European Roma Rights Center (sic) which was published almost exactly contemporaneously to her interview. To avoid any shadow of suspicion it was obtained subsequent to the interview.

My 2 'interjections' were in order to achieve this purpose both in terms of drawing out the facts as to what is presently happening to the family and the reason behind these events. The denial of medical treatment for the baby is a direct result of the refusal to acknowledge citizenship on account of the family's Roma origins. This amounts to persecution within the criteria set out in the IAT decisions of Gashi and Horvath.

Christina Heneghan Angela Jones Elaine Mills Paul Morris Nadia Siddiqui Sukhdeep Singh Chris Spencer Helen Steyne Ruhiya You

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Draft

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TO WHOM IT MAY CONCERN

I have been requested by the South Manchester Law Centre to provide background information relating to an asylum application by a Rom, Mr Naser Idris, a client of the firm, and to comment on sections of the refusal letter received from the Home Office.

I have read the interview notes, most of which relate to the original statement of the appellant's wife (Annex A, A1 to A24) when she made her application for asylum in 1998. It is clear from these notes that the interviewing officer, due to some confusion or lack of knowledge on the part of the interpreter, was unable to ascertain exactly from which place in Macedonia Mr Idris comes. As this has, I believe, a considerable bearing on the background to his case, a fact of some importance has been passed over.

In making these comments, I am aware of my duty as an expert to assist the court in obtaining as complete a picture as possible, within my capabilities, of the appellant's background circumstances. While I have been an active participant in the political affairs of the Romani people for some 40 years, and am receiving a fee for preparing this report, neither of these factors influence what I have set out here. The facts of the matter speak for themselves.

I am a journalist by profession (now retired) have contributed at intervals to such papers and journals at The Guardian, New Society and The Irish Times. I am the co-author, with Dr Donald Kenrick, of **Destiny of Europe's Gypsies**, published by Chatto in 1972, available in eight languages and regarded as the standard work on the Nazi persecution of Roma. In 1966, I became a founder member of the Gypsy Council and

in 1971 was elected general secretary of the World Romani Congress, a post I held in the International Romani Union until the 3<sup>rd</sup> Congress in 1981. I have lived at various times in England, Ireland, Greece, Yugoslavia (Macedonian and Serbia) and California. In 1984 I became a consultant with the US Department of Justice in the Artukovic case. My second language is Romanes.

### **A. Background information**

The appellant makes it abundantly clear, through his wife's statement, that they were not wanted in Macedonia, nor could they transfer to Belgrade, the capital of Serbia. Prior to coming to the UK, Mr Idris lived in Suto Orizari (the name "Orizari" appears once in the top margin on page A4, and appears as Rizari on page A8 and A9). The correct name is Suto Orizari, commonly called Shutka, and the significance of this suburb of Skopje is that it is populated almost entirely by Roma (a population of some 30,000, including several thousand refugee Roma from Kosovo).

Enmity between Roma and Albanians, and Roma and Slav Macedonians, is intense and has been made worse by the recent Albanian insurrection. Roma were caught in the middle as fighting erupted between Macedonian army and police on one side and armed Albanians on the other. The Romani quarter of Tetovo was targeted by Albanians, resulting in the exodus of some 3,000 Roma from that town. Macedonians rioting in Ohrid destroyed property of Roma, including a shop. Several Roma lost their lives including two young men recruited into the Macedonian army.

At one point, Albanian forces approached close to Suto Orizari, which lays in a vulnerable position below hills to the south of Skopje city. Although Moslem by religion, Roma are eschewed by their co-religionists, rarely visit the mosques because of this



hostility and have most recently been stopped by threats and acts of violence from burying their dead in the Moslem section of the municipal ceremony close to Suto Orizari.

The hostility between Roma and Albanians dates back many years. During the latter period of the Second World War, Tito's partizans mounted operations against nationalist Albanians attempting then to annex part of Macedonia, including Tetovo, to Albanian. The all-Roma 19<sup>th</sup> Brigade was involved in this bitter battle, setting off a vendetta which still reverberates today.

At the same time, Albanians in Kosovo (and bear in mind the Kosovo border is less than 15 miles away) in the period before the NATO intervention put great pressure on Roma to register their nationality as Albanian, facilitated by the fact that most had Moslem-sounding names. When under Slobodan Milosevic the Yugoslav military repression began, followed by the NATO bombing and invasion, the KLR instigated a wholesale expulsion of the Romani population. Some 14,000 Romani homes were burned, including the entire Romani quarters in Pristina, Mirovica, Pec and other towns, and 80,000 Roma were forced to flee. During this process dozens of people were murdered and many more suffered rape and injury. The "ethnic-cleansing" of Roma from Kosovo has been characterised as an act of genocide (see report by Paul Polansky).

From this brief outline, it is easy to surmise what fear was engendered among Roma when Albanian armed groups, calling themselves the Albanian National Liberation Army began attacks within Macedonia in 2000. At the height of their activities towards the end of March, 2001, the NLA occupied the villages of Kuchkovo and Gracani, within firing distance of Suto Orizari. By this time, many Roma from outlying areas had fled to the township for protection, swelling the number of refugees there.

Mr Idris and his family were, of course, already in the UK. But the reports they heard would have increased their fear that they might be forced to return to Macedonia.

In the period before he left, which was early in 1998 according to his wife's statement, militant Albanians both in Kosovo and in western Macedonia were arming themselves with the intend of creating a Kosovo Republic and eventually an expanded Albania. Having already succeeded in pressuring many Roma to declare themselves to be ethnic Albanians and to carry official ID cards (lichna karta) to this effect (with such success

that only 11,000 Roma registered their true ethnicity in one census), the KLR cadre attempted to enlist some Roma into their ranks or recruit them as auxiliaries. I find it

wholly credible, therefore, that there was as Mr Idris claimed an attempt to "press-gang" him into service with the KLR, the more so because in appearance he could pass as an Albanian and secondly his occupation as a tailor, unusual among Roma, would have brought him into contact with Albanians of the same occupation in the city of Skopje.

I conclude they wanted to assimilate Idris into their ranks and when he refused, he was shot and knifed. By then, one can assume, he knew too much about their activities. His appeal to the police did not help as the officers who came to the scene were themselves ethnic Albanians.

The Home Office, in refusing his application in the first instance, casts doubt on the statement that Mr Idris owned a tailor's and also spent long periods abroad. In my experience this would have been quite common at that period: his business was set up when the Macedonian economy was in better shape but on its sharp decline, due to the break up of Yugoslavia and the accompanying wars, thousands of Roma sought employment in Germany. Even before this, work abroad was a major source of income.

X His business would else lapse or be kept going with the assistance of other members of the family.

An important point missed during interviews with Mr Idris is that while resident in Suto Orizari he was a member of Phralipe (Brotherhood), the Romani national cultural Organization founded in 1948 by Fajk Abdi. For decades the sole legal association permitted by the Communist authorities, Phralipe was, naturally, a covert focus for national aspirations. Mr Abdi in 1970 became the first Rom elected to the Macedonian Parliament and in 1971 attended the 1st World Romani Congress in London. Shortly after the newly adopted Romani flag was raised over Suto Orizari and one Yugoslav news journal dubbed Sutka as an emerging "Romani state". It was at this time I came to live in Suto Orizari, while general secretary of the World Romani Congress (and was expelled in 1974 when the political scene in Yugoslavia took a less liberal turn).

In 1990, Mr Abdi was able to set up his own political party, the Party for the Total Emancipation of Roma (PCER). The core of this party, which required an initial 500 members in order to qualify, was drawn from the activists in the Brotherhood. However, although a card-carrying member of the Brotherhood, Mr Idris did not qualify for legal membership of the PCER for the reason that he failed to obtain citizenship of the new Republic of Macedonia. Mr Indis has, I understand, produced a document to this effect issued by the municipal authority of Suto Orizari.

The grounds for this refusal are not obvious, since Mr Idris was born in Macedonia. His wife states (para 18, p.A9) that her father-in-law and other members of the family tried to transfer to Belgrade. But were refused residence there, despite being able to produce the old red Yugoslav passports.

Then (para 19) she says on return to Skopje, they were refused "point-blank" when they applied for Macedonian citizenship. In the first phase after the separation of Macedonia, the existing administration was totally unprepared for the volume of applications.



Many Roma were in fact rendered stateless by the Act on Citizenship of the Republic of Macedonia, which came into effect on 11 November, 1992. A Ministry of the Interior employee stated as late as 1997 (see ERRC publication, *The Human Rights Situation of Roma in Macedonia*, 1998) speaking specifically about Suto Orizari, "Many of these people and their children have not acquired citizenship".

Birth on the territory of the Republic of Macedonia, addressed under Article 6 of the Act, is not sufficient for the acquisition of citizenship, the report comments. And in the case of Mr Idris his long sojourns abroad and moreover family connections with Roma over the border in the Kosovo town of Uresovac would have counted against him. Add to this that both births and marriages within the Romani community frequently go unregistered and it becomes quite plausible that it was practically impossible for Mr Idris to obtain citizenship. Indeed, a large number of Roma were not holders of Macedonian republican citizenship even under the 1977 citizenship law.

Human Rights Watch in 1996 reported a number of cases where Roma who fulfilled all the requirements nevertheless had their applications for citizenship rejected. Similar instances are quoted in the ERRC study.

On p.A10 Ms Idris says a "woman was killed by Macedonian police". This refers to an incident on 9 August, 1996, when a 41-year-old Rekibe Mehmed was beaten by police and died during the course of her arrest. Her offence was illegal street-trading.

Ms Ildza Idris has since returned voluntarily to Macedonia, and has entered into a new partnership. It is pertinent to say here that Romani marriage ceremonies (the *bijav*) are not recognized under Macedonian law and few of the traditional marriages are followed by a civil registration. Therefore, even if Mr and Mrs Idris did register their marriage (which I do not know), Ms Ildza Idris in taking a new partner would be perceived by the

Romani community in Suto Orizari to have "re-married". It is also worth noting, notwithstanding her allegation of rape by an Albanian some years ago, that a female is strictly regarded as outside the scope of an Albanian vendetta. She was targeted while the wife of a man who had refused to co-operate and work for the KLR - now that she has broken with Naser, she may be in somewhat less danger.

### **B. Comments on initial refusal**

In regard to the reasons for refusal to grant asylum set out by the Home Office, I would venture to comment that Clause 5 is an inadequate and outdated, not to say oversimplified, statement of the situation. During the recent Albanian insurrection, there were repeated requests that Roma representatives be included in negotiations.

This never happened despite the sufferings of Roma on the "front line" in Tetovo and the deaths of Roma recruits. A chance to bring Roma politicians into the picture, as urged by the OSCE, was presented in June 2001 when the current Roma deputy in the Macedonian Parliament, Mr Amdi Bajram, and the Major of Suto Orizari, Mr Nadzet Mustafa, made a public appeal to President Trajkovski to bring them into the vital talks. The appeal was rejected.

Moreover, when a session of the internationally-recognized Roma Parliament was convened in Skopje, in January of this year, with the expressed purpose of supporting a new "stabilisation plan" for the large Roma minority in Macedonia, it was boycotted by the ruling Government coalition. Not content with this snub, a statement was issued through a semi-independent news agency alleging that a Rom representative from Germany had earlier visited Suto Orizari with an offer to provide arms.

All this has understandably contributed to a de-stabilisation of the situation, already exacerbated by rising unemployment, poor housing and education (provoking a strike by parents in Suto Orizari) and continued instances of police brutality. Roma report feeling excluded from the political process and unrest is widespread, exemplified by demonstrations over non-payment of social security payments in the town of Stip and

a large demonstration outside the parliament building in Skopje. At the time of writing further protests, culminating with manifestations on Roma Nation Day, 8 April, were being planned. I submit that in these circumstances to speak of a commitment by the Government of Macedonia to a policy of peaceful integration is at least misleading. Actions, as ever, speak stronger than words.

The claim by Mr Idris, dealt with in Clause 7, that he was beaten by Albanians and police officers (also ethnic Albanians) is similar to dozens of complaints made to NGOs and referred, in some cases, to the Ombudsman's Office. A recent one involved Mr Naser Ali, aged 32, who was severely beaten at the Beko police station in central Skopje on 22 July 2001. He was examined and photographed at a hospital, where doctors confirmed in writing that he had received grievous bodily harm. Despite the substantial evidence the Ombudsman's Office declined to pursue the matter.

There is a great deal of evidence to suggest that the higher authorities turn a blind eye to this kind of police activity. More seriously, during and after the Albanian insurrection the Government lost control over large areas of territory and over a considerable number of its police. Albanian police officers, whose sympathies lay with the rebels. Full control of territory and personnel, I would submit, has not and may for a long time yet be fully restored. Police brutality is, in any case, endemic, as the European Roma Rights Centre has repeatedly shown (Co-Chair of the ERRC is Lord Lester of Herne Hill). In these circumstances the Macedonian Government is unable to guarantee the protection of its Roma citizens, let alone those Roma denied citizenship who are in many respects treated as being outside the law. The fear of persecution expressed by Mr Idris is therefore very real, especially as he has been associated with the Brotherhood and through this with the political aims of Mr Abdi Fajk and the PCER.

As to Clause 7 and 9, taken together the Home Office a) advises that Mr Idris should have sought redress in Macedonia, and b) that he should have left Macedonia at the earliest opportunity. He could hardly have done both.

In Clause 11, the Secretary of State claims that the Macedonian Government treats all citizens equally. This is arguable. But what is certain is that Mr Idris is not a citizen of Macedonia.

Lastly, I believe the court should be informed that since Mr Idris received permission to work he has set up a success car-repair business and presently employs three people recruited from the local Job Centre.

### **Sources**

Roma Rights, Newsletter of the ERRC, up to Number 4, 2001

A Pleasant Fiction, The Human Rights Situation of Roma in Macedonia (July 1998)

Nezdet Mustafa, Mayor of Suto Orizari, correspondence with

Abdi Fajk, former MP for Suto Orizari, conversations with

Human Rights Watch, Human Rights Violations in Macedonia, June 1996

Human Rights Watch, Police Violence in Macedonia, April 1998

International Helsinki Federation, Macedonia: Police Brutality, August 1997

**Subject: att: Mr ROWLAND**

**Date:** Wed, 20 Feb 2002 11:29:01 +0000

**From:** "ustiben.2" <ustiben.2@ntlworld.com>

**Organization:** BAH

**To:** [s-mrc-lawcentre@fial.pipex.com](mailto:s-mrc-lawcentre@fial.pipex.com)

RE: NASER IDRIZ

Dear Mr Rowland,

I have now read all the papers.

It is clear that Mr Idriz does not have Macedonian citizenship.

This means he and his family are disqualified from:

- Housing assistance
- Social assistance
- Medical help (note he has paid privately)

This is the deliberate policy of the Macedonian Government. In addition, he would be, if returned, very vulnerable to harassment by Albanians and by police (many of whom are Albanian).

The aftermath of the recent Albanian insurgency has left a critical situation. Made worse by a semi-official Government news release accusing Roma of planning an armed uprising

He is infact STATELESS, his old Yugoslav passport does not allow him to reside and enjoy citizenship either in Macedonia or Yugoslavia (Serbia, Kosovo, Montenegro)

Surely, on this ground alone he should be granted refugee state in this country.

I would like to hear your opinion on this.

Meanwhile, I will get on with my Report as soon as I can. But I would also like, at some point soon, to speak with Nazer on the phone so I can ask him a few questions.

Grattan Puxon



Immigration and Nationality Directorate  
Integrated Casework Directorate

PO Box 285, Liverpool, L69 2UF  
Telephone 0870 606 7766 Fax 0151 237 0466

**Naser IDRIZ**

Our Ref J281678

Date of Birth: 11.09.1966

Your Ref

Nationality: Macedonia

Date 29.03.2001

Dear Mr Idriz

#### REASONS FOR REFUSAL

1. You have applied for asylum in the United Kingdom on the grounds that you have a well-founded fear of persecution in Macedonia. In order to qualify for asylum under the terms of the 1951 United Nations Convention relating to the Status of Refugees, to which the United Kingdom is a signatory, an applicant must show that he has a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion.
2. Your claim is that as an ethnic Romany you have suffered harassment and ill-treatment in Macedonia from both the authorities and from ethnic Albanian.
3. The Secretary of State has considered your application but for the reasons given below has concluded that you do not qualify for asylum.
4. The Secretary of State has further considered if your claim of ill-treatment in Macedonia constitutes a breach of Article 3 of the Human Rights Act 1998.
5. The Secretary of State is aware that ethnic tensions and prejudices are present within Macedonian society. However, he is also aware that the Government of Macedonia is committed to policy of peaceful integration of all ethnic groups into society. The population of Macedonia is composed of a variety of national and ethnic groups and all citizens are considered equal under law. The Constitution provides for the protection of the ethnic, cultural, linguistic and religious identity of all minorities including state support for education and health care for children.
6. You stated in your asylum interview that you wished the original asylum claim of your wife to be considered as your own claim. With regard to your claimed difficulties with your ethnic Albanian neighbours the Secretary of State would point out that, in general, he takes the view that such individuals cannot be regarded as 'agents of persecution' within the terms of the 1951 United Nations Convention relating to the Status of Refugees.



7. You have claimed that you were beaten up by a group of ethnic Albanians and that when the police arrived, you were also beaten by the police. The Secretary of State does not condone any violations of human rights which may have been committed by members of the security forces in Macedonia. However, he considers that these actions arise from failures of discipline and supervision rather than from any concerted policy on the part of the Macedonian authorities and does not accept that they are evidence of persecution within the terms of the United Nations Convention. The Secretary of State further notes that such violations are not knowingly tolerated by the Macedonian Government, indeed the Constitution enshrines human rights and these rights are respected in practice. Furthermore, the Constitution provides for a public attorney to protect the constitutional and legal rights of citizens when violated by bodies of state administration and other agencies with public mandates. In the light of this information the Secretary of State considers that you should have sought redress from the authorities of Macedonia before seeking international protection.
8. The Secretary of State considered that there were other aspects of your claim, which whilst not decisive in themselves, gives rise to doubt your credibility as an asylum seeker and your general veracity. He has given full and careful consideration to the information provided by you, but is of the opinion that your account is vague and lacking in detail and credibility. In the asylum interview made by your wife, it is claimed that you owned your own tailor's shop in your home town of Skopje. However the Secretary of State notes that your wife claimed that you worked away from home for most of the year and that this was why she could not return to Macedonia as she would be all alone. The Secretary of State considers that these discrepancies cast doubt upon the credibility of your claim.
9. It was claimed in your wife's original asylum interview, dated 04.06.1998, that you left Macedonia five months earlier. This would make your date of departure approximately January 1998. It was also stated that the attacks upon you happened about a year before, approximately June 1997. The Secretary of State holds the view that if your fear of persecution were genuine you would have left Macedonia at the earliest opportunity, and the fact that you did not casts doubt on the credibility of your claim to be in need of protection.
10. The Secretary of State notes that immediately prior to your arrival in the United Kingdom you were in France, a signatory of the 1951 United Nations Convention relating to the Status of Refugees. The Secretary of State considers that you had opportunity to claim asylum in France and that your failure to do so casts doubt on the credibility of your claim to be in genuine need of international protection.
11. The Secretary of State is aware that your wife and children voluntarily returned to Macedonia in December 1999. The Secretary of State considers that the actions of your family suggest that there is no real risk of persecution in Macedonia by either the authorities or from the ethnic Albanians. The Secretary of State has further considered your additions to your original claim, in that the health of your children is suffering because they are being denied medical treatment on account of their Romany ethnicity. However, as previously mentioned the Macedonian Government treats all citizens equally and it is generally considered that healthcare for all children is adequate.
12. You have stated that your wife is now living with her father in Macedonia. The Secretary of State notes that the only problems which you claim that she is suffering are in relation to the health of the children. You make no mention that she has suffered harassment upon her return from either the authorities or from the ethnic Albanians.

13. Notwithstanding your account of events which you claim have occurred in the past, the Secretary of State considers that you have failed to give any evidence to show that you might be persecuted in the future.
14. In the light of all the evidence available to him, the Secretary of State has concluded that you have not established a well-founded fear of persecution and that you do not qualify for asylum. Your application is therefore refused under paragraph 336 of HC 395 (as amended) and has been recorded as determined on 29.03.2001. In addition, the Secretary of State certifies that your claim is one to which paragraph 9(3)(b) of Schedule 4 to the 1999 Act applies owing to your failure to declare to the Immigration Officer on arrival that your travel documents were not valid; and that your claim is one to which paragraph 9(7) does not apply because the evidence you have adduced does not establish a reasonable likelihood that you have been tortured in Macedonia. This means that if you choose to exercise your right of appeal it will be subject to the accelerated appeal procedure.
15. Furthermore, the Secretary of State has given careful consideration to whether you should be allowed to remain in the United Kingdom as a result of our obligations under the European Convention for the Protection of Human Rights and Fundamental Freedoms. However, he is not satisfied on the information available that you qualify under any of the Articles.
16. You are now required to state any reasons for staying in the United Kingdom which were not previously disclosed. Please read the enclosed **One-Stop Notice** carefully. The reasons must be stated on the **Statement of Additional Grounds** attached to the **Notice of Appeal** and these should be returned together (with a copy of the **Reasons for Refusal letter** and the **Notice of Decision**) to the address given on the Notice of Appeal.

Yours sincerely



J. Thompson  
Integrated Casework Directorate

Encs:



Home Office

Port Reference: MAN/98/569

Home Office Reference:

IS 151B(TBN)

UK IMMIGRATION SERVICE

North West Enforcement Unit

4<sup>th</sup> Floor, Commonwealth House

Chicago Avenue, Manchester Airport, M90 3EE

Tel: 0161 489 2367

Fax: 0161 489 2370

### NOTICE OF DECISION

In compliance with the Immigration and Asylum Appeals (Notices) Regulations 2000 made under paragraph 1 of schedule 4 to the Immigration and Asylum Act 1999

### DECISION TO ISSUE REMOVAL DIRECTIONS TO AN ILLEGAL ENTRANT/OTHER IMMIGRATION OFFENDER OR A FAMILY MEMBER OF SUCH A PERSON - APPLICATION FOR ASYLUM REFUSED

Under paragraphs 9-10 of schedule 2 to the Immigration Act 1971 & section 10(1) of the Immigration and Asylum Act 1999

To IRIZ Naser

You are:

- ☒ A) an illegal entrant as defined in section 33(1) of the Immigration Act 1971;
- ☐ B) a person subject to administrative removal in accordance with section 10 of the Immigration and Asylum Act 1999 as:
- i) a person who has failed to observe a condition attached to leave to enter or remain; or
  - ii) a person who has obtained leave to remain by deception; or
  - iii) directions have been given to a person to whose family you belong

I have therefore issued directions for your removal to **MACE DONIA**

You have applied for asylum in the United Kingdom. The Secretary of State has decided to refuse your application for asylum for the reasons stated on the attached notice.

**REMOVAL DIRECTIONS** A. Directions have now been given for your removal from the United Kingdom\* by **scheduled airline to at a time and date to be notified.**

**RIGHT OF APPEAL** B. You are entitled to appeal to the independent appellate authorities against these directions on the following grounds:

- **Before** removal on asylum grounds, that is because removal in pursuance of these directions would be contrary to the United Kingdom's obligations under the 1951 United Nations Convention relating to the Status of Refugees\*\*
- If you are appealing on asylum grounds, you also have a right to appeal **before** removal on the grounds that on the fact of your case there is in law no power to give them on the ground on which they are given\*\*\*
- **After** removal, if you are not also appealing on asylum grounds, that on the fact of your case there is in law no power to give them on the ground on which they are given \*\*\*

The attached notice tells you how to appeal and where advice and assistance can be obtained.

The contents of this notice have been explained to you in English/ ..... by me  
..... (name of interpreter)

Date 21 April 2001

*Rehane Khan*  
Immigration Officer

\* Paragraph 9 or 10 of Schedule 2 to the 1971 Act/Section 10(6) of the 1999 Act  
\*\* Section 69 of the 1999 Act  
\*\*\* Section 66 of the 1999 Act